

A LIVELY DAY.

Further Cross-Examination of Gen. Swaim by Mr. Chandler.

How He Had Fellows on the Hooks for Copper Stock.

The Evasion About Morrow's Accounts in His Letter to the Secretary of War.

His Counsel Tries to Protect Him, but the Court Wants the Facts.

In the Swain court of inquiry yesterday the defendant, Gen. Swain, was on the witness stand during almost the whole of the session, and underwent a severe cross-examination at the hands of Mr. Chandler. The proceedings were enlivened to a greater extent than on any other day of the inquiry by tilts between counsel, some of them being quite heated, and calling for the intervention of the court. The cross-examination of Gen. Swain drew from him the admission that he had had one account at Bateman & Co.'s, and that was subject to the demands of his stock transactions and to check; also, that that was the account to which he referred in his statement to the secretary of war that he had had an account with Bateman & Co. He persisted in the assertions that the amount represented by the due bill was a loan to Bateman & Co., and that Bateman had asked him to let him have it on the same terms that Brown had had it; but he could not recollect whether the agreement was, or was not, that he should have ten per cent. on all Bateman's profits in the business, as he had been the agent with respect to Brown's profits.

Letters were introduced showing that during Swain's absence in the west, in the fall of 1882, he had been endeavoring to dispose of stock in the Columbia Copper company, in which he and Bateman & Co. had been dealing. These letters also showed that Swain had been informed by Bateman that the latter had purchased for him 4,000 shares in Columbia Copper companies, Nos. 2 and 3, although the defense had complained that Swain had not been so informed, and had presented in evidence early in the inquiry a letter, which purported to be a statement from Bateman to Swain, that he had purchased 4,000 shares of No. 2 only. An earlier letter from Bateman to Swain of the same day showed that the purchase of stock had been reported to Swain. When asked by Mr. Chandler why he had not presented this letter instead of the other, Gen. Swain replied that it was because "he didn't want to."

Considerable amusement was created in the court room by the reading of a letter from Gen. Swain to Bateman, dated Lawrence, Kan., Sept. 21, 1882, in which, alluding to his (Swain's) efforts to dispose of the Columbia Copper company's stock, he said: "I have two fellows on the hooks for some of the stock, and if I can fasten them, I will let you know the amount necessary for the purpose." This was in reply to a letter from Bateman telling him they could have what stock they wanted at 40 or 50 if he could dispose of it at \$1 per share.

The most important part of the examination was that which related to Gen. Swain's knowledge of the duplication of Col. Morrow's pay accounts. Mr. Chandler asked the witness if he (witness) supposed, when he wrote to the secretary of war in explanation of Bateman's charges that Col. Morrow came to him to raise money on "several months' pay accounts," that the secretary would understand from that that the fact was, as witness had stated it yesterday, that Morrow wanted to raise \$30,000. Mr. Calkins objected to the question, and a long argument between the counsel followed.

Mr. Chandler said that the letter to the secretary of war was an evasion. It did not, he said, contain one single fact that one officer would state to another in reply to a request for an examination.

Stated his failure to state that Morrow came to him for \$30,000, he said, showed his unwillingness to state the whole transaction. He added that this being the case, he was entitled to ask the witness what he supposed the secretary would understand by "several months' pay accounts?"

Mr. Calkins contended that there was a great difference of opinion as to the use of words, and that his client had used the words he thought would best deny the charges made against him.

The court overruled the objection, and the witness replied that he supposed that the standard fact in his letter was that he had nothing to do with Morrow's pay accounts. He had considered the amount very largely, and had no idea whether Morrow had wanted to raise \$30,000 on his pay accounts, or whether he had said he was in debt to that amount. Witness said in reply to further questioning that when Bateman told him the firm of Bateman & Co. had been "caught" by Morrow's accounts, he understood Bateman to mean that the accounts were not legally authorized pay accounts. This was a long time prior to the conversation which he testified yesterday he had had with Bateman, in which he had told Bateman that certain other creditors of Col. Morrow might make trouble at the war department for the bankers who had secured themselves.

Mr. Chandler here endeavored to secure the services of Gen. Swain that when he made this statement about certain creditors making trouble at the war department, he meant that they would be able to make trouble by showing that the pay accounts on which Morrow had borrowed the money from the bankers were fraudulent.

Gen. Swain would not make this admission. He said he had meant that if the matter were brought to the attention of the war department they would have compelled Col. Morrow to adjust his accounts fairly.

Mr. Chandler asked if he had not made this statement to Bateman, because he had in mind that if the attention of the department were called to the matter it would result in Morrow's dismissal from the army.

Mr. Calkins objected, and Mr. Chandler argued in reply that the question was, Bateman, he said, had testified that Swain did not get his money, and he would squeeze Morrow at the war department so that none of the bankers would get anything, and Swain had testified that he had told Bateman that if a certain class of claims were brought to the attention of the department it would make trouble for them. He (Chandler) wished to show that Swain knew that the only way in which trouble could be made for the bankers was in the calling of the attention of the department to the fact that the pay accounts issued to the bankers were fraudulent.

The court directed the witness to answer the question, and he replied that he had in mind that if the war department learned that a large number of banks were owing all of Morrow's pay, and that butchers, bakers, and other bills of like character remained unpaid, there might be trouble for the bankers.

Mr. Chandler asked witness if he did not remember that he (witness) had decided at that very time, as judge advocate general of the army, that the debts contracted by an officer were not subjects that the department could take cognizance of if the officer neglected to pay them. Witness replied that that was his decision, but that it didn't bind the war department.

After some further examination of the witness, Mr. Terry, a clerk in the war department, was placed on the stand, and testified to having gone over Swain's accounts at Bateman & Co.'s, with the object of settling their differences.

Pending his examination the court adjourned.

Laid at Rest in Woodlawn.

The funeral of Katherine Ethel, infant daughter of Mr. and Mrs. Joseph Pulitzer, took place Tuesday afternoon from the family residence, No. 17 Gramercy park, New York. The beautiful-faced child slept the last sleep in a flowered casket, her white blossoms smiling down from all sides. A pair of rosebud Gates Ajar bespoke the sympathy of the St. Louis *Post-Dispatch*.

editorial staff and a broken column of pure white roses and lilies told of the silent grief of the *World* editorial and city staff. A harp from the *World* publication office and a wreath swung above a mound of flowers from the *World* composing room stood side by side. The room was heavy with the odor of spring's floral offerings, remembrances of Thomas L. James, Mr. and Mrs. Rufus Randall, Mrs. Hattie Noble, Dr. Kolbenheyer, of St. Louis, and others. The solemn funeral service of the Episcopal church was listened to, as was the concluding Address of Belmont, Andrew H. Green, Mr. and Mrs. Guy H. Peletier, William J. Florence, and Melville C. Day. The interment took place in Woodlawn cemetery, the final words of consolation being spoken most feelingly by Rev. Dr. Charles H. Hall, of Holy Trinity church, Brooklyn.

FOOD FOR THE BRAIN.

Another Day's Session of the American Fish Culture Association—Election of Officers and Transaction of General Business.

The American Fish Culture association convened at 10:30 o'clock yesterday morning in the lecture room of the National museum, with James Benkard, president, in the chair.

The following names of members were registered in addition to those reported in yesterday's *REPUBLICAN*: S. Dorman, Washington, D. C.; Albert S. Bickmore, New York; Harry F. Root, Providence, R. I.; Alexander Kent, Washington, D. C.; Robert G. Pike, Middletown, Conn.; William M. Hudson, Hartford, Conn.; G. N. Woodruff, Sherman, Conn.

New members were elected as follows: Hon. E. G. Lapham, United States senator from New York; A. S. Bickmore, W. E. Garrett, Hon. P. McGowen, New York; Richard Rathbun, James Stevenson, R. E. Earll, Henry W. Elliott, George S. Hobbs, W. V. Cox, A. A. Hayes, T. A. Ryder, J. M. Collins, Tarleton H. Bean, E. S. Hutchinson, Washington, D. C.; Hon. Oscar Ray, New Hampshire; Joseph Wilcox, Philadelphia; Lieut. Daniels Winslow, U. S. N.; Dr. J. A. Hosack, Kentucky; A. Melson Chaney, New York; W. L. May, Nebraska; T. W. Clark, Michigan.

Prof. Spencer F. Baird, secretary of the Smithsonian institution, was elected an honorary member.

The following papers were read and discussed: "The Shell Fisheries of Connecticut," by William M. Hudson, "Oyster Culture," by Prof. G. Brown Goode; "Present Condition and Future Prospects of Oyster Industry," by Lieut. Francis Winslow, U. S. N.; "Natural Causes Influencing the Movements of Fish in Rivers," by Marshall McDonald.

After the recess and resumption of business at the afternoon session the following officers were elected for the ensuing year: President, Theodore Lyman, of Massachusetts; vice president, Marshall M. Johnson, Virginia; treasurer, E. G. Blackford, New York; corresponding secretary, R. Edward Earl, Illinois; recording secretary, Frederick Mather, New York.

Executive committee—James Benkard, New York; George Shepard Page, New York; G. Brown Goode, Connecticut; Charles G. Atkins, Maine; Barnes Phillips, New York; Dr. William M. Hudson, Connecticut, and S. G. Worth, North Carolina.

Prof. W. O. Atwater proceeded to deliver his address upon the subject, "The chemical composition and nutritive value of our American fish fishes and invertebrates," followed by a paper entitled "The influences affecting the fecundity of fishes," by Prof. John A. Ryder.

The paper upon "The present condition and future prospects of the oyster industry," read by Lieut. Winslow, was a very interesting one, the subject matter of which was illustrated by a series of maps showing the location of the oyster beds.

Another interesting and instructive paper was that by Prof. W. O. Atwater, upon the nutritive value of American fish fishes. The treatise was illustrated with diagrams showing the costs of the nutrients in a given food material, flesh or fish, and a computation by comparing the amounts of the several nutrients, protein, fats, and carbohydrates it contains, with its market price.

At 4:40 p.m. an adjournment was had until 10 o'clock this morning.

After the adjournment the members of the association visited the fish exhibition at the Army and Navy building.

Last night there was an exhibition of the fisheries section in the National museum, at which a considerable portion of the collection shown by the United States at the London and Berlin fisheries exhibition (and for which prizes were awarded) were displayed. The exhibition was witnessed by the members of the association and a large number of invited ladies and gentlemen. The section was brilliantly illuminated with electric lights and decorated with flags.

The third and last day's session of the association will be held between the hours of 10 a.m. and 12:30 this morning, and after adjournment the members will visit several of the fish hatching stations upon the Potomac river, proceeding thither in the United States Fish commission steamer Fishhawk.

Land Patents.

The case of N. W. Spaulding against Commissioner McFarland, of the land office, for an injunction to prevent the issuing out certain patents to land in San Francisco was yesterday disposed of by Justice Cox, in the equity court, who denied the injunction and dismissed the restraining order.

ARMY AND NAVY NOTES.

Col. John G. Parke has been designated to act as chief of engineers during the temporary absence of Gen. Newell.

Second Lieut. Oscar Bundy is, at his own request, transferred from the 2d infantry to the 3d infantry, and will join the station of his company (F), Fort Missoula, Mont.

Leave of absence for four months, to take effect on the 1st of June, 1884, is granted Capt. Ormones B. Smith, 5th cavalry, and Chaplain James C. Law, 5th infantry.

The United States steamships *Watara* and *Tenessee* arrived at Hampton Roads yesterday. The usual review of the vessels of the North Atlantic squadron will probably be omitted this spring, as the ships will be engaged in the work of hatching fish in the Potomac river.

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Capt. Samuel T. Cushing, commissary of subsistence, U. S. A., will proceed to San Antonio, Tex., and report in person, or before the 20th instant, to the commanding general department of Texas, and will be detailed to the commandant of that department, relieving Maj. Thomas Wilson, commissary of subsistence, of that duty and as purchasing and depot commissary of subsistence at San Antonio, Tex.

The following named officers will proceed to join the scattered regiments to which they have respectively been assigned, and will remain in their respective regiments, respectively, for assignment to stations: Col. Peter T. Swaine, 2d infantry (promoted from lieutenant colonel, 13th infantry); Lieut. Col. George A. Thompson, 1st cavalry; Maj. Charles C. Rawlins, 2d cavalry (promoted from captain, 1st cavalry); and Lieut. Col. George A. Thompson, 1st cavalry (promoted from captain, 1st cavalry).

Brigadier General John A. Stevenson, chief of engineers, and Col. John A. Stevenson, corps of engineers, are designated as members of the board of inquiry, to be appointed by the secretary of war, to inquire into the cause of the explosion of the gunboat *Concord* at the naval station of the navy at Hampton Roads, Va., on the 1st of April, 1883.

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